

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA, ex  
rel. by SHEILA REIBER,  
Plaintiff,  
vs.  
BASIC CONTRACTING SERVICES,  
INC., a New Mexico Corporation,  
Defendant.

NO. 09-5558 RBL

EX PARTE MOTION FOR  
EXTENSION OF TIME FOR  
RELATOR TO SERVE DEFENDANT  
WITH UNSEALED COMPLAINT  
and DECLARATION IN SUPPORT

Noted on Motion Calendar  
**September 29, 2011**

COMES NOW the Relator, Sheila Reiber, and hereby requests an extension of the time to serve Defendant with the Complaint.

The United States declined to intervene in this False Claims Act lawsuit, and this Court, by Order dated June 10, 2011, instructed Relator to serve Defendant with the Complaint. The undersigned counsel, due to workload issues, is not be able to litigate the case going forward as sole counsel. Unless Relator timely finds either substitute counsel or primary counsel, Teller & Associates, PLLC intends to withdraw, or in the alternative, with Relator's consent allow the case to be dismissed without prejudice.

Relator timely found potential counsel who chose to delay in reviewing the matter and then recently declined to proceed. This delay has hindered Relator in the ability to find another attorney, through no fault of her own. Relator has since identified at least two other lawyers

**EX PARTE MOTION FOR EXTENSION OF  
TIME FOR RELATOR TO SERVE  
DEFENDANT WITH UNSEALED  
COMPLAINT - 1**

**Teller & Associates, PLLC**  
1139 34<sup>th</sup> Ave, Ste B  
Seattle, WA 98122  
(206) 324-8969 Fax: 860-3172

1 who are interested in the case, but who need time to review the matter before deciding to litigate  
2 it. The undersigned's files and records have been shared under attorney/client privilege with  
3 these additional counsel simultaneously with this filing. Relator is making a diligent effort to  
4 secure counsel.

5 The time to serve Defendant expires on October 10, 2011. Relator requests an additional  
6 60 days to locate counsel and effectuate service.

7 The United States indicated it has no objection to the undersigned's request.

8 The foregoing is sworn to under penalty of perjury by the undersigned counsel on the  
9 below date at Seattle, Washington.

10 DATED this 29<sup>th</sup> day of September, 2011.

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13 Stephen A. Teller, WSBA #23372  
14 Attorney for Relator Reiber

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**EX PARTE MOTION FOR EXTENSION OF  
TIME FOR RELATOR TO SERVE  
DEFENDANT WITH UNSEALED  
COMPLAINT - 2**

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## CERTIFICATION OF SERVICE

I hereby certify that on or about this 29th of September, 2011, I served the foregoing **EX PARTE**  
**MOTION FOR EXTENSION OF TIME FOR RELATOR TO SERVE DEFENDANT WITH**  
**UNSEALED COMPLAINT** on the following parties at the following addresses:

(i) Counsel for Defendants:

Defendant has not yet been served.

(ii) Counsel for United States:

Harold Malkin  
United States Attorney's Office  
700 Stewart St Ste 5220  
Seattle, WA 98101-1271  
Phone: 206 553 4319  
Harold.malkin@usdoj.gov

By causing a true and correct copy thereof to be served by the Court's CM/ECF service.

John Miller